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FLOOR DEBATE

January 24, 2002 LB 82, 754

And they provide that before a court accepts a guilty plea, or a plea of nolo contendere, no contest, to a crime, the court shall give an advisement to the defendant, on the record, of the possible consequences so when not...consequences of making that plea when the individual accused is not a United States citizen. Those consequences include being removed from the United States, and denied naturalization within the United States. Testimony before the committee indicated that these people needed this warning in order to consider all of their rights before prejudicing them. Under the amendment, the court shall allow the defendant more time to consider whether to plea in light of such advisement. If the court does not advise the defendant of such possible consequences, and the defendant is subject to deportation or denial of naturalization, the court may vacate the judgement and permit the defendant to withdraw his or her plea and enter a not guilty plea. Also, the amendment states that the Legislature's intent in enacting such legislation is to promote fairness by incorporating appropriate warnings of such special consequences which may result from the plea. In addition, it is the intent to give the defendants reasonable am...a reasonable amount of time to negotiate with the prosecution in such cases. Furthermore, no defendant should be required to disclose his or her legal status to the court. Next we have Section 5, which was introduced as LB 754 and sponsored by Senator Chambers. Current law provides that when one is sentenced to imprisonment in misdemeanor cases such sentences shall be served in county jail. One exception to such is that the court may order that the sentence be served under the jurisdiction of the Department of Correctional Services when the combined term is one year or more if the conviction is more than one misdemeanor offense. The amendment strikes that exception under Section 28-106. Also under current law a misdemeanor sentence to be served concurrently with a felony conviction sentence may be ordered served, in the court's discretion, under the jurisdiction of the Department of Correctional Services. The amendment adds consecutively served misdemeanor sentences and felony sentences to those that may be ordered served under the jurisdiction of the department. Once again, your committee had a view toward expense, and the minimization of costs, which is certainly appropriate in these tough financial times, and also making an improvement with regard to multiple sentences